

Appl. No. 10/699,196  
Amdt. Dated 06/28/05  
Reply to Office Action of 03/28/05

### **Remarks/Arguments**

Applicant would like to thank the examiner for the review of the present application.

The examiner has rejected the pending claims under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,735,521 to Klimpert in view of the U.S. Patent No. 4,687,203 to Spector in further view of U.S. Patent No. 3,627,325 to Breslow.

Applicant respectfully submits Klimpert teaches away from the claimed invention and further teaches away from Spector and Breslow. Klimpert teaches the use of "flocking material" which includes any particulate or granular material which is desired to create a certain effect or impression (see col. 2, lines 6-8). Such flocking material is specifically designed to provide a "textured" surface to provide greater realism and entertainment value (see col. 2, lines 4-11). Klimpert simply provides no teaching, suggestion or motivation to provide a scented and corrugated surface, which is disclosed by Spector, Breslow and the present invention.

Applicant respectfully submits a reference should be considered as a whole, and portions arguing against or teaching away from the claimed invention must be considered. See *Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc.*, 796 F.2d 443, 230 USPQ 416 (Fed. Cir. 1986). Here, Klimpert has been identified as relevant prior art for teaching inter-lockable puzzle pieces. Spector and Breslow have been identified as relevant prior art for teaching scented and corrugated surfaces for puzzle pieces, respectively. Although, Spector and Breslow may be analogous art, a person of ordinary skill in the art would not combine their teachings with Klimpert because Klimpert has no need for scented and corrugated surfaces.

Applicant submits Klimpert would be rendered inoperable for its intended purpose if Spector's and Breslow's teachings were combined therewith. Klimpert's intended function is to allow a user to apply "glue" directly onto an area portraying a preprinted image, wherein flocking is then applied to the glue (see col. 2, lines 25-35). It is well known to a person of ordinary skill in the art that if glue and flocking material, as taught by Klimpert, were added to a scented and corrugated surface, as taught by

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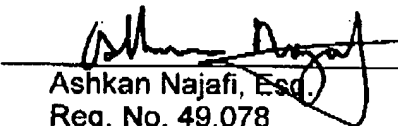
Spector and Breslow, a user would not be able to rub the puzzle pieces and expose a scent.

In view of these considerations, it is respectfully submitted that the rejection of the original claims should be considered as no longer tenable. All pending dependent claims necessarily include the recitations of their independent claims and therefore are also in condition for allowance.

Should the examiner consider necessary or desirable to make formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by examiner's Amendment, if the examiner feels this would facilitate passage of the case to issuance. Alternatively, should the examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned attorney.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,  
Law Office of Ashkan Najafi, P.A.

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